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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/667,424      | 09/23/2003  | Hiroyuki Nakano      | SHIN3003/EM         | 1097             |

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EXAMINER

STINSON, FRANKIE L

ART UNIT PAPER NUMBER

1746

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/667,424

Applicant(s)

NAKANO ET AL.

Examiner

FRANKIE L. STINSON

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 12-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 12-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☒ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

1. The indicated allowability of claims 5-10 is withdrawn in view of the newly discovered reference(s) to Hamilton et al., Germany'984 and EPO'277. Rejections based on the newly cited reference(s) follow.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casoli (U. S. Pat. No. 4,739,781) in view of either Germany'984 (Germany 195 46 984), or EPO'277 (European Patent Office 0 864 277).

Re claim 1, Casoli is cited disclosing a dishwasher(embodiment of fig. 2) comprising:

a main body being generally of a box shape with an open front;

a washer tub (1) being extracted from and retracted into the main body through the open front by means of slide rail assemblies, the washer tub having an open top; and wherein, when the washer tub is fully extracted from the main body, a rear end of an inner wall of the washer tub is located in front of a front end of the main body to open the gap that differs, from the claim only in the recitation of a covering member blocking the gap, opened between the washer tub and the main body when the washer tub is fully extracted from the main body, and with the covering member including concealing members extending downwards and backwards from a lower part of each side surface of the washer tub. Germany'984 (see fig. 3) and EPO'277 (see figs. 2A, 2B) are each cited disclosing the covering member as claimed. It therefore would have been obvious

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to modify the drawer arrangement of Casoli, to be as taught by the drawer arrangement of either Germany'984 or EPO'277, of the purpose of preventing damage to the apparatus and/or user. Re claims 2 and 11, Casoli discloses the feeding and draining components at the rear of the tub as well as the electric parts. Re claims 3, 4, 9 and 10, Germany'984 and EPO'277 discloses the backward extending plates as claimed.

4. Claims 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casoli (U. S. Pat. No. 4,739,781) in view of Hamilton et al. (U. S. Pat. No. 3,222,113) Germany'984 (Germany 195 46 984), or EPO'277 (European Patent Office 0 864 277). Re claims 12-16, Casoli is cited disclosing a dishwasher (embodiment of fig. 2) comprising:

- a main body being generally of a box shape with an open front;

- a washer tub (1) being extracted from and retracted into the main body through the open front by means of slide rail assemblies, the washer tub having an open top; and wherein, when the washer tub is fully extracted from the main body, a rear end of an inner wall of the washer tub is located in front of a front end of the main body to open the gap that differs, from the claim only in the recitation of a covering member blocking the gap, opened between the washer tub and the main body when the washer tub is fully extracted from the main body, and with the covering member including concealing members extending including plates members extending backward from an upper part of each side surface of the washer tub. Hamilton (see fig. 37, col. 12, lines 34-43) Germany'984 (see fig. 3) and EPO'277 (see figs. 2A, 2B) are each cited disclosing the covering member as claimed. It therefore would have been obvious to modify the

drawer arrangement of Casoli, to be as taught by the drawer arrangement of either Hamilton, Germany'984 or EPO'277 of the purpose of preventing damage to the apparatus and/or user. Re claims 13 and 16, Casoli discloses the feeding and draining components at the rear of the tub as well as the electric parts. Re claims 14 and 15, Germany'984 and EPO'277 discloses the backward extending plates as claimed.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Gomolka, Johnson et al., Kahn, Dysthe, Clar, Gladwin, Falek, Germany'624, Yoshikawa, Yonenaka, and Japan'547, note the drawer.

6. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.  
Should you have questions on access to the Private PAIR system, contact the  
Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fls



FRANKIE L. STINSON  
Primary Examiner  
GROUP ART UNIT 1746